

Remarks

Claim 4 has been rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 4,528,232 to Cliffe (hereinafter Cliffe) in view of U.S. Patent No. 5,672,413 to Taylor et al. (hereinafter Taylor et al.). This rejection is respectfully traversed.

In addition to other acts, claim 4 specifies printing a translucent colored image on a film that is attached to a window that allows light to pass through but diffusing it so that objects on either side of the window cannot be clearly distinguished from the other side of the window.

Cliffe does not involve printing a translucent colored image on a film that covers a window that prevents objects on either side of the window from being clearly distinguished from the other side of the window as specified in the present claims.

Conversely, Cliffe relates to an anti-glare device that is applied to an upper edge of a windshield (Abstract). The degree of transparency of the anti-glare device increases gradually from the upper to the lower edge thereof (see Abstract and Col. 2, lines 27-29). Since the anti-glare device in Cliffe is applied to a windshield of a vehicle, Cliffe teaches away from the limitation in claim 4 requiring the window covering to cover the window and that is translucent so that light is allowed to pass through the film but prevents objects from being clearly seen from opposite sides of the window. Covering a windshield of a vehicle with a translucent image would prevent someone from driving the vehicle. Therefore, claim 4 should be allowed.

Claims 4-6 and 19-21 have been rejected under 35 USC § 103(a) on the basis of U.S. Patent No. 6,030,002 to Charley et al. (hereinafter Charley et al.), in view of Taylor et al., in view of Cliffe, further in view of U.S. Patent No. 6,054,208 to Rega et al. (hereinafter Rega et al.) and GB2324381, and further in view of the advertisement for Solar Stat. This rejection is respectfully traversed.

None of the cited references either individually or in combination disclose a window covering using a film of plastic material having a thickness of about 8 mils as specified in claim 22. This is not within the range suggested in Taylor. None of the cited references suggest a window covering having a continuous piece of plastic material sized to extend over an entire window surface as specified in claim 23.

None of the cited references suggest applying a first matte varnish to the film of plastic material, applying the colored image on the matte varnish, and applying a second matte varnish topcoat on the colored image as specified in claim 24. None of the cited

references suggest applying the translucent colored image by applying and drying cyan, magenta and yellow inks onto the first matte varnish layer as specified in claim 25. None of the cited references suggest applying the translucent colored image to the flexible film so that light is diffused evenly across the entire window covering as specified in claim 26. None of the cited references suggest using a continuous piece of plastic material that is sized to extend over an entire window surface as specified in claim 27.

All these limitations are clearly described on pages 7-9 of the specification and shown in FIG. 3.

The Examiner is also combining six different references in making this rejection. Out of the myriad of possible permutations of six different references, in the absence of Applicant's own disclosure, one of ordinary skill in the art would not pick and choose individual features from this many references in the manner of Applicant's claims. This simply would not be done.

The Examiner has stated that Charley et al. fails to teach a translucent colored image on the film. In fact, Charley et al. utilizes a layer of opaque white in printing his film and thus the film and printed translucent colored image would not allow light to pass. See for example Charley et al. at Col. 2, lines 40-60, describing a fourth station 24D with opaque white 34 being applied. Also, it is an object to use mirror-image printing in Charley et al. and the only way disclosed in Charley et al. of accomplishing this in Charley et al. is to use opaque white (See Charley et al. object at Col. 1, lines 52-53). It would be inconsistent with the teachings of Charley et al. to disregard this object and provide a film and printed translucent colored image allowing light to pass through but diffusing it so that objects on either side cannot be clearly distinguished from the other side.

Claim 5 depends from claim 4 and should be allowable for the reasons given above in support of its parent claim 4.

Claim 6 requires printing a translucent colored image on the film, allowing light to pass through the printed translucent colored image and film but diffusing it so that objects on either side cannot be clearly distinguished from the other side.

As pointed out above, this requirement is not shown or suggested by Charley et al. or the other references being applied by the Examiner in this rejection.

In addition, claim 6 requires providing a printed colored image which is assembled from individual pieces to fill spaces larger than the individual pieces.

Therefore, claim 6 should be in condition for allowance.

Claim 19 requires the act of lithographically printing a translucent colored image on the film allowing light to pass through but diffusing it so that objects on either side cannot be clearly distinguished from the other side.

The claim 19 requirement of printing a translucent colored image on the film allowing light to pass through but diffusing it so that objects on either side cannot be clearly distinguished from the other side is not shown or suggested by the references applied against this claim for the reasons explained above.

Claim 19 requires lithographically printing a translucent colored image.

The Examiner has taken the position that Rendell et al. teaches that lithographic printing is functionally equivalent to flexography and roller coating. The fact lithographic printing can be used in some applications does not mean that a reference such as Charley et al. will be modified to use lithographic printing instead of flexography. In order to do so, one would have to ignore the clear teachings of Charley et al. to not use lithographic printing in his process.

First, Charley et al. points out numerous disadvantages of lithographic printing that arise in producing the decorative window decals of Charley et al. (see Col. 1, lines 20-28). Charley et al. further states: "In light of the above, there is a need for a process in which a border clean decal can be created via a continuous process to produce a long length of a border clean decal such that it may be contained on a roll so that it may be unrolled and cut to a user's desired length." (Col. 1, lines 29-33). Charley et al. also states: "An object and advantage of the invention is that the border cling decal is produced via a flexographic printing process...(Col. 1, lines 47-50).

Therefore, although Charley et al. mentions lithographic printing, he does so in connection with specifically teaching reasons why one would not use lithographic printing in his process. As a result, one would not modify Charley et al. to use lithographic printing to produce a window covering as this would be contrary to the clear teachings and object of Charley et al.

Therefore, claim 19 should be allowable.

Claim 20 should also be allowable for the reasons given above in connection with its parent claim 19. Claim 20 also requires lithographically printing the translucent colored image. Again, Charley et al. teaches away from this approach and no secondary reference would be used to modify Charley et al. to adopt this approach.

Claim 21 also requires lithographic printing of a translucent colored image on the film and again should be allowable.

In addition, claim 21, in addition to other acts requires providing a printed colored image which is assembled from individual pieces to fill in spaces larger than the individual pieces.

Claim 21 should be allowed.

For the above reasons the application should be in condition for allowance and such action is respectfully requested.

Request for Interview

If any issues remain, the Examiner is formally requested to contact the undersigned attorney prior to issuance of the next Office Action in order to arrange a telephonic interview. It is believed that a brief discussion of the merits of the present application may expedite prosecution. Applicants submit the foregoing formal Amendment so that the Examiner may fully evaluate Applicants' position, thereby enabling the interview to be more focused.

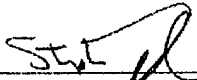
This request is being submitted under MPEP § 713.01, which indicates that an interview may be arranged in advance by a written request.

Conclusion

The application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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